

filed in the office of the clerk of the court either by the debtor, his spouse, or a garnishee, and thereupon the court, after due notice, shall promptly act upon the notice, motion, or other claim of exemption."

SEC. 3. Chapter Eleven of such Act approved March 3, 1901, is hereby amended by adding at the end thereof a new section as follows:

"SEC. 434-A. (a) Every contract attempting or purporting to transfer or assign salary or wages to be earned by the debtor after the date of such contract, shall, if made in the District of Columbia, be invalid and contrary to public policy and unenforceable, and if made outside the District of Columbia, be unenforceable in any court within the District of Columbia.

"(b) It shall be unlawful for any person in the District of Columbia to demand or receive from such debtor any assignment of salary or wages to be thereafter earned by such debtor, or to notify any employer that he holds an assignment of such salary or wages. Any person violating this subsection shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than \$200 or by imprisonment for not more than sixty days. Prosecutions under this subsection shall be upon information filed in the Criminal Branch of the Municipal Court of the District of Columbia by the Corporation Counsel of the District of Columbia or one of his assistants."

SEC. 4. Section 456 of such Act approved March 3, 1901, as amended, is hereby amended by inserting "(a)" after "456.", and by adding at the end of such section a new subsection as follows:

"(b) It shall be unlawful for any employer to pay salary or wages to an employee in advance of the time the same shall be due and payable, for the purpose of avoiding or preventing an attachment or garnishment against the earnings or salary of such employee, and such advance payment, as to the attaching creditor, shall be void: *Provided*, That after the service of one writ of attachment or garnishment on a judgment against an employer, any payment of salary or earnings thereafter before the time when said salary or earnings are due and payable, made within a period of six months after the date of service of said writ or before the earlier satisfaction of such judgment, whichever is the earlier, shall as to such attaching creditor be presumed to be in violation of this subsection and shall cast upon the said employer the burden of proving that such advance payment or payments were not for the purpose of avoiding the attachment of such salary or earnings."

Approved December 20, 1944.

#### [CHAPTER 611]

#### AN ACT

To grant additional powers to the Commissioners of the District of Columbia, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Commissioners of the District of Columbia are authorized and empowered within their discretion—

(a) In accordance with such regulations as they may make, to provide for the waiver of payment by any person in the military service of the United States of any annual or other periodic fee required by law to be paid to the District of Columbia or to any District of Columbia board or commission as a condition to retaining or renewing any license or permit to engage in any business or calling or to practice any profession in the District of Columbia.

31 Stat. 1256.  
D. C. Code §§ 28-2501 to 28-2504.  
Attempted assignment, etc., of future wages.

Unlawful acts.

Penalty.

31 Stat. 1262.  
D. C. Code § 16-312.

Advance payments to prevent attachments, etc.

December 20, 1944  
[H. R. 2644]  
[Public Law 506]

D. C. Commissioners, additional powers.

Persons in military service.  
Waiver of payment of certain fees.

Regulation of surety bonds respecting designated businesses.

(b) To make, adopt, and enforce regulations requiring persons, firms, and corporations, other than utility companies, engaged within the District of Columbia in the business of plumbing or gas fitting, or of installing, maintaining, or repairing heating, ventilating, air-conditioning, or mechanical refrigerating apparatus, equipment, appliances, systems, or parts thereof, or of installing, maintaining, or repairing apparatus, equipment, fixtures, appliances, or wiring, using or conducting electric current, to furnish and keep in force a bond running to the District of Columbia with corporate surety authorized by the Secretary of the Treasury to do business pursuant to section 3 of the Act of August 13, 1894 (28 Stat. 279), as amended (U. S. C., title 6, sec. 8), and by the Insurance Department of the District of Columbia to do business in the District of Columbia in an amount not exceeding \$5,000, conditioned upon the performance in accordance with law and regulations in force in the District of Columbia of all such work undertaken by such person, firm, or corporation, and to keep the District of Columbia harmless from the consequences of any and all acts performed by said person, firm, or corporation in connection with such business during the period covered by the said bond.

Right of surety to terminate liability.

The surety on any such bond may terminate its liability under such bond by giving thirty days' written notice thereof, served either personally or by registered mail, to the principal and to the Commissioners; and upon giving such notice the surety shall be discharged from all liability under such bond for any act or omission of the principal occurring after the expiration of thirty days from the date of service of such notice. Unless on or before the expiration of such period the principal shall duly file a new bond in like amount and conditioned as the original in substitution of the bond so terminated, the license of the principal to engage in such business shall likewise terminate upon the expiration of such period. Upon making any payment on account of its bond, the surety shall immediately notify the Commissioners.

Effect if new bond not filed.

Notification of payment by surety.

Insolvency, etc., of surety.  
Filing of new bond.

In the event the surety becomes insolvent or a bankrupt, or ceases to be authorized by the Secretary of the Treasury to do business pursuant to section 3 of the Act of August 13, 1894 (28 Stat. 279), as amended (U. S. C., title 6, sec. 8), or by the Insurance Department of the District of Columbia to do business in the District of Columbia, the principal shall, within ten days after notice thereof, given by the Commissioners duly file a new bond in like amount and conditioned as the original and if the principal shall fail to do so the license of such principal shall terminate. If a recovery be had on any bond the principal shall restore the bond to its original amount.

Recovery on bond, restoration.

Remedies of aggrieved party.

Any person aggrieved by the violation of any law or regulation in force in the District of Columbia relating to such business shall have, in addition to his right of action against said person, firm, or corporation, a right to bring suit against the surety on said bond, either alone or jointly with the principal thereon, and to recover in an amount not exceeding the penalty of the bond any damages sustained by reason of any act, transaction, or conduct of the principal which is in violation of law or regulation in force in the District of Columbia relating to such business: *Provided, however,* That nothing in this section shall be construed to impose upon the surety on any such bond a greater liability than the total amount thereof or the amount remaining unextinguished by any prior recovery or recoveries as the case may be.

Limitation on surety's liability.

Certified copy of bond.

The Commissioners shall furnish to anyone applying therefor a certified copy of any such bond filed with them upon the payment of a fee to be fixed by the Commissioners therefor, and such certified

copy shall be prima facie evidence in any court that such bond was duly executed and delivered by the person, firm, or corporation whose name appears therein.

The Commissioners are further authorized to provide, in accordance with such regulations as they may prescribe, for the examination of the qualifications and fitness of all applicants for licenses to engage in any of the businesses herein enumerated by a board, consisting of not less than two persons who have been actively engaged in the District of Columbia for at least five years next preceding their appointment in the business for which license is sought (one of whom shall have been an owner or manager and one of whom shall have been an employee competent to superintend the performance of work) and not less than one official of the District of Columbia, appointed by the said Commissioners: *Provided*, That nothing herein shall repeal existing law relating to the examination and licensing of master plumbers and gas fitters.

Examination of applicants for licenses.

Master plumbers and gas fitters.

Rental of property.

(c) To rent any building or land belonging to the District of Columbia or under the jurisdiction of the Commissioners, or any available space therein, whenever such building or land, or space therein, is not then required for the purpose for which it was acquired, and to rent any used personal property belonging to the District of Columbia which is not then needed for the purpose for which it was acquired: *Provided*, That nothing contained in this paragraph shall have the effect of changing in any manner Public Law Numbered 732, Seventy-fourth Congress, entitled "An Act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes", approved June 20, 1936.

Vending stands for blind.

49 Stat. 1559.  
20 U. S. C. §§ 107-107f.

(d) To grant revocable permits upon such terms, conditions, bonds, and rentals as the Commissioners may impose for the construction of tunnels, and the laying of conduits and pipes in the alleys, streets, and avenues in the District of Columbia under the jurisdiction of the Commissioners.

Tunnels, pipes, etc.  
Permits for construction.

(e) To suspend, with or without pay, any officer or employee appointed by them and, under such rules or regulations as they may prescribe, to delegate this power to any officers or employees of the District of Columbia.

Suspension of appointees.

(f) To name highways and to name and change the name of any circle, bridge, building, or other public place or property in the District of Columbia under the jurisdiction of the Commissioners, and after public hearing to change the name of any highway under the jurisdiction of said Commissioners.

Naming of highways, etc.

(g) To fix, assess, and collect fees for copies of orders, regulations, permits, certificates, and transcripts of records furnished by the District of Columbia, such fees to be paid to the collector of taxes and deposited in the Treasury of the United States to the credit of the District of Columbia.

Fees.

(h) Where not otherwise specifically provided, to prescribe a penalty upon conviction of a violation of any rule or regulation authorized by this Act by a fine of not more than \$300 or imprisonment of not more than ninety days.

Penalties.

SEC. 2. That the Commissioners of the District of Columbia are hereby authorized to appoint such number of employees of the District of Columbia as they shall consider advisable as contracting officers, who, under the direction of the said Commissioners, may exercise any powers with respect to making and entering into contracts on behalf of said District of Columbia and administering said contracts that are now vested by law in the said Commissioners, except as herein

Contracting officers, appointment, etc.

Contracts of \$1,000 or more.

otherwise provided; but no contract of \$1,000 or more entered into on behalf of said District of Columbia by any contracting officer appointed pursuant to this Act shall be binding upon said District of Columbia, or give rise to any claim or demand against said District of Columbia, until approved by the Commissioners of the District of Columbia, or a majority of them, sitting as a Board.

Personal interest.

All contracts entered into by any contracting officer in which such contracting officer or any of the Commissioners shall be personally interested shall be void, and no payment shall be made on any of such contracts by the District of Columbia or by any officer thereof.

Remission of liquidated damages.

That with respect to all contracts of the District of Columbia which contain stipulations for liquidated damages for delay the Commissioners of the District of Columbia are authorized and empowered to remit the whole or any part of such damages as in their discretion may be just and equitable.

Director of Inspection, duties, etc.

SEC. 3. That the Commissioners may transfer to, impose upon, and vest in the Director of Inspection of the District of Columbia all or any of the duties imposed upon, and all or any of the powers, rights, and authority vested in, the Inspector of Buildings of the District of Columbia, the Inspector of Plumbing of the District of Columbia, and the Electrical Engineer of the District of Columbia, by any law, and the Commissioners may authorize the said Director of Inspection to delegate any or all of such powers to the Chief Engineer of the Department of Inspection of the District of Columbia and to the Chief of Inspection of the Department of Inspection of the District of Columbia and to their respective deputies when acting for them.

Delegation of powers.

Purchases to accord with Federal regulations.

SEC. 4. The Commissioners and other responsible officials, in expending appropriations provided for the expenses of the government of the District of Columbia, so far as possible, shall purchase material, supplies, including food supplies, and equipment, when needed and funds are available, in accordance with the regulations and schedules of the Procurement Division of the Treasury Department or from various services of the Government of the United States possessing materials, supplies, passenger-carrying and other motor vehicles, and equipment no longer required. Surplus articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government of the United States are authorized to sell such surplus articles to the District under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided*, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office materials, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.

Surplus articles, purchase from Government.

Application of E. O. 3019.  
40 U. S. C. § 311a note.

Use of title companies.

SEC. 5. The Commissioners may, in their discretion and when they deem such action to be in the public interest, effect settlement with owners of real estate authorized to be acquired by purchase or condemnation for District of Columbia purposes, through such title company or companies in the District of Columbia as may be designated by the Commissioners, and to pay from appropriations available for the acquisition of such real estate reasonable fees to cover the cost of the services rendered by such title company or companies.

SEC. 6. The power and authorities conferred by this Act are to be construed as in addition to and not by way of limitation of the powers now vested by law in the Commissioners.

Approved December 20, 1944.